

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE LUIS RUBIO,

Petitioner,

v.

BRIAN PHILLIPS,

Respondent.

No. 2:23-cv-00893-EFB (HC)

ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Because petitioner challenges a conviction entered by the Fresno County Superior Court, petitioner should have commenced this action in the Fresno Division of the United States District Court for the Eastern District of California. *See* E.D. Cal., Local Rule 120(d). When a civil action has not been commenced in the proper division of a court, the court may transfer the action to the proper division. *See* E.D. Cal., Local Rule 120(f).

Accordingly, it is hereby ordered that:

1. This action is transferred to the district court in Fresno.
2. The Clerk of Court shall assign a new case number.

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3. All future filings shall bear the new case number and shall be filed at:

United States District Court
Eastern District of California
2500 Tulare Street
Fresno, CA 93721

Dated: May 18, 2023.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE